

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ronal A Beyernick et al. :

APPLICATION SERIAL NO.: **10/766,651** : Examiner: Aradhana Sasan

FILING DATE: **January 27, 2004** : Group Art Unit: 1609

**TITLE: Method For Making Homogeneous Spray-  
dried Solid Amorphous Drug Dispersions  
Utilizing Modified Spray-drying Apparatus**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

The owner, Pfizer Inc., of 100 percent interest in the instant patent application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on commonly owned prior patent 6,763,607, as the term of said reference application are defined is defined in 35 U.S.C. 154 and 173, and as may be shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of said patent, as the term of said patent may be shortened by any terminal disclaimer in the event that: said prior patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

Please charge the \$130.00 fee under 37 CFR 1.20(d) to Deposit Account No. 16-1445. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 16-1445.

Respectfully submitted,

Date: July 11, 2007 \_\_\_\_\_

/Lisa A. Samuels/ \_\_\_\_\_  
Lisa A. Samuels  
Attorney for Applicant(s)  
Reg. No. 43,080

Pfizer Inc.  
Patent Department, MS8260-1611  
Eastern Point Road  
Groton, CT 06340  
(860) 686-0349  
Customer No. 28523